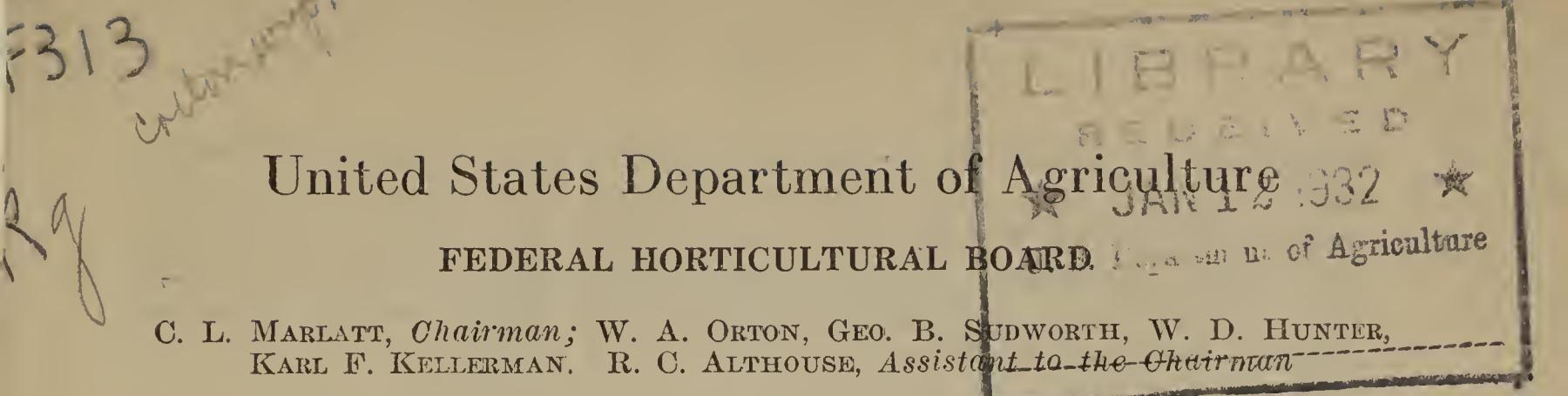


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RULES AND REGULATIONS GOVERNING THE IMPORTATION OF COTTON AND COTTON WRAPPINGS INTO THE UNITED STATES

Under the Provisions of the Order of the Secretary of Agriculture, Issued April 27, 1915

(Revised February 24, 1923)

INTRODUCTORY NOTE

This revision of the Rules and Regulations Governing the Importation of Cotton and Cotton Wrappings into the United States replaces the edition of July 18, 1917, and is necessitated by the decision of the board to increase somewhat the strength of fumigation at the port of arrival and to discontinue restrictions on the movement and utilization within the United States of imported cotton after the entry requirements, including disinfection, have been met. This change involves some modification of the regulations and the omission entirely of regulations 8 and 9. The limiting of control of imported cotton to the disinfection and other requirements to be enforced as a condition of entry removes the necessity for licensing cotton mills or other users of imported cotton in the United States. Such use will hereafter be free to any person or mill, and all existing licenses will be canceled.

The permit for the importation of cotton has also been very much simplified. Hereafter a single permit will authorize the permittee to enter cotton and other products covered by these regulations at any port approved by the Federal Horticultural Board for the particular products concerned and for any exporter in any foreign country.

Minor changes have been made more or less throughout the regulations, most of these having relation to the important changes already discussed. The certification formerly required under regulations 6 and 14, the latter now regulation 11, is omitted.

For the convenience of permittees and others the explanatory notes which were incorporated under the regulations in the last edition (July 18, 1917) have been retained in this new edition with such omissions and modifications as were necessitated by the changes in the regulations referred to above or as seemed otherwise desirable.

C. L. MARLATT,
Chairman, Federal Horticultural Board.

RULES AND REGULATIONS GOVERNING THE IMPORTATION OF COTTON AND COTTON WRAPPINGS INTO THE UNITED STATES

Regulation 1.—Definitions.

For the purposes of these regulations, the term "cotton" shall mean raw or unmanufactured ginned cotton,¹ either baled or unbaled,

¹ The importation of cottonseed, seed or unginned cotton, and cottonseed hulls, except from the locality of the Imperial Valley in the State of Lower California, Mexico, is prohibited by quarantine.

including all cotton which has not been woven or spun or otherwise manufactured, such as all forms of cotton waste, including thread waste, card strips, willowed fly, willowed picker, picker or blowings, and chum and cotton waste, in any other form or under any other trade designation, and also including secondhand burlap or other fabric which has been used, or is of the kinds ordinarily used, for wrapping cotton.

For the purposes of these regulations, the term "inspector" shall mean an inspector of the Federal Horticultural Board, United States Department of Agriculture.

Regulation 2.—Applications for Permits.

Persons contemplating the importation of cotton into the United States shall make application for a permit, on forms provided for that purpose, to the Secretary of Agriculture, Washington, D. C., giving the name and address of the importer in the United States and, if the permit is to be sent to a broker, the latter's name and address also.

Permits will be required for cotton entering the United States for immediate export and for immediate transportation and exportation in bond to foreign countries and, in the case of transportation in bond, the port of entry and the route over which such cotton will be allowed to move will be designated in the permit.

Permits will authorize the entry of cotton at the ports of Boston, New York, Seattle, and San Francisco, and at such other ports of entry as may be approved by the Federal Horticultural Board.

Applications for permits should be made in advance of the shipment of the cotton on the appropriate form.²

(a) *A single permit for each importer.*—A single permit will be issued to each individual importer authorizing him to enter cotton and other products covered by these regulations at any port approved by the Federal Horticultural Board for the particular products concerned and from any exporter in any foreign country.

(b) *Ports of entry.*—In addition to the ports of entry listed in regulation 2, the Federal Horticultural Board has approved the ports enumerated below for the entry of cotton or other products as designated:

1. For the entry of cotton falling under the *proviso to regulation 6*, the additional ports are Philadelphia, Baltimore, Norfolk, Charleston, Savannah, New Orleans, and Portland (Oregon).

2. For the entry of secondhand burlap or other fabric of the kinds ordinarily used for the wrapping of cotton falling under the *first proviso to regulation 11*, the additional ports are Philadelphia, Baltimore, and Portland (Oregon).

3. For the entry of secondhand burlap and other fabric of the kinds ordinarily used for the wrapping of cotton falling under the *second proviso to regulation 11*, the additional ports are Philadelphia, Baltimore, Norfolk, Charleston, Savannah, New Orleans, Galveston, and Portland (Oregon).

4. For the entry of burlap or other fabric of the kinds ordinarily used for wrapping cotton not falling under *either proviso to regulation 11*, the additional port is Portland (Oregon).

5. For the entry of cotton not falling under the *proviso to regulation 6*, the additional port is Portland (Oregon).

Full compliance with the requirements of entry must be made at the first port of arrival in the United States where the requirements can be met.

If cotton or other products falling under these regulations are offered for entry at a port where the entry requirements can not be met, provision must be made either for the prompt transfer of such products to a port where entry can be made, or for their removal forthwith from the port and the territorial waters of the United States. Transfers to other ports for compliance with

² For restrictions on mail entry of cotton, see regulation 2, paragraph (f).

the regulations, and the routing thereto, must be authorized by the Federal Horticultural Board.

(c) *Entry for immediate export or for immediate transportation and exportation in bond.*—Entry for immediate export or for immediate transportation and exportation in bond will be permitted under the conditions authorized by the Secretary of Agriculture in the rules and regulations governing (1) entry for immediate export, (2) entry for immediate transportation and exportation in bond, and (3) safeguarding the arrival at a port where entry or landing is not intended of prohibited plants and plant products, effective August 1, 1920.

In the case of entry for immediate transportation and exportation in bond, the notices of arrival and exportation and the conditions prescribed in regulations 4, 5, and 6 of the rules and regulations governing such entry for immediate exportation and transportation in bond shall apply.

(d) *Export of cotton bonded for subsequent disinfection.*—With the approval of the Federal Horticultural Board, cotton which has been entered in bond for subsequent disinfection may be sold for immediate shipment to a foreign consignee prior to its disinfection. In applying for the authority to make such shipment, the permittee should indicate the route, if within the United States, over which it is intended to ship the cotton. Specific authority must be secured for each shipment of this character, and the notice of shipment required in regulation 7 must also be submitted. The discharge of the bond covering such cotton will be made on receipt from the shipper in this country of a copy of the bill of lading covering the shipment.

(e) *Entry of cotton and other products from Canada.*—Cotton and other products offered for entry under these regulations from Canada shall be shipped in bond to Boston or New York for entry and disinfection: *Provided*, That grades of cotton or cotton waste, the disinfection of which is not required as a condition of entry (see proviso, regulation 6), and burlap or other fabric of the kinds ordinarily used to wrap cotton, subject if necessary to the conversion requirement of regulation 11, may be shipped in bond to Boston, New York, Philadelphia, or Baltimore.

If cotton waste, so offered for entry at such ports, should prove upon inspection to be of a grade requiring disinfection, it must either be transferred promptly to a port where compliance with the disinfection requirement can be made, which transfer and its routing must in each instance be authorized by the board, or it must be removed forthwith from the port and the territorial waters of the United States.

(f) *Importation of cotton by mail restricted.*—An order issued by the Post Office Department, as amended November 18, 1922, prohibits the importation by mail from any foreign country of raw or unmanufactured cotton, cottonseed (including seed cotton) and cottonseed hulls, with the exception that samples of cotton and cotton waste may be imported by parcel post when the packages are addressed to the United States Department of Agriculture, Federal Horticultural Board, either at Washington, D. C., or at the Feir Building, San Francisco, Calif. The name and address of the ultimate consignee should be indicated inconspicuously at the left and below the main address. Upon the receipt of the parcels at the inspection offices of the Federal Horticultural Board, either at Washington or at San Francisco, they will be examined and, if necessary, disinfected and forwarded to the ultimate consignees. The costs, if any, of the disinfection must be met by the importer.

Regulation 3.—Permits for Entry.

On approval of an application for the importation of cotton a permit will be issued. One copy will be furnished to the applicant; one copy will be mailed to the collector and one copy to the inspector at each port of entry involved; and a copy will be filed with the application.

Regulation 4.—Marking a Condition of Entry.

Every bale or other container of cotton offered for entry shall be plainly marked with such bale numbers and other marks as will distinguish the bales or containers from each other.

Regulation 5.—Notice of Arrival by Permittee.

Immediately upon arrival of the cotton at the port of entry the permittee shall submit, in duplicate, notices to the Secretary of Agriculture, through the collector of customs on forms provided for

that purpose, stating the number of the permit, the number of bales or other containers of cotton included in the shipment, the bale or container numbers and marks, the country and locality where grown, the name and address of the exporter or shipper, the port of departure, the date of arrival, the customs entry number, and, if transported by water, the name of the ship or vessel and the designation of the dock where the cotton is to be landed, and, if by rail, the name of the railroad company and the terminal where the cotton is to be unloaded.

(a) *Notice of arrival to cover all cotton shown on bill of lading.*—In submitting the notices of arrival required by regulation 5 the permittee will list all the cotton which is expected on the vessel in question as shown by the bill of lading, whether or not the cotton so listed actually arrives on the boat on which it is expected. This makes it unnecessary to report the cotton as listed on the ship's manifest, or to determine by actual inspection whether all the cotton reported on the bill of lading has been shipped.

(b) *Notice of arrival of short shipments.*—In the case of short shipments the permittee must continue to submit the notices of subsequent arrival of the cotton listed in the original bill of lading, indicating the permit and customs entry numbers covering the original entry and the name of the disinfection plant to which the cotton will be sent for disinfection.

Regulation 6.—Disinfection a Condition of Entry.

Imported cotton must be disinfected, as a condition of entry, to the satisfaction and under the supervision of the inspector. Such cotton may be delivered to the permittee for such disinfection within the limits of the port of entry, upon the filing with the collector of customs of a bond in the amount of \$5,000, or in an amount equal to the invoice value of the cotton if such value be less than \$5,000, with approved sureties, conditioned upon such disinfection and upon the redelivery of the cotton to the collector of customs within 40 days from arrival of the same at the port of entry. The cotton shall not be moved from the limits of the port of entry nor shall any bale or other container thereof be broken or opened for sampling until so authorized by an inspector: *Provided*, That cotton which has been so manufactured as to have eliminated all seed, including cotton known as card strips and thread waste and other cotton which can be determined as having been so manufactured or which has been so processed by bleaching or dyeing as to have destroyed all insect life, and which is covered with wrappings which have not previously been used to cover cotton or which is covered with American cotton bagging, commonly known as coarse gunny, which has been used to cover cotton grown in the United States only, will be inspected on arrival at the port of entry and, if found to comply as to grade and wrappings, with the requirements of this proviso and with the marking conditions required in regulation 4, will be released from further restriction under these regulations.

Upon completion of disinfection of imported cotton in compliance with this regulation, such cotton shall be marked under the supervision of an inspector indicating such disinfection and may thereafter be distributed, forwarded, or shipped without restriction under these regulations. Cotton held by a permittee for disinfection under the 40-day provision of this regulation must be stored under conditions approved by an inspector.

(a) *Permittee responsible for disinfection of cotton.*—The permittee is charged with full responsibility for the disinfection of the cotton within the 40-day period regardless of any sale or change of ownership. In other words,

so far as responsibility for the disinfection of imported cotton is concerned, the board deals with the permittee only, subsequent receivers of the cotton from the permittee not being parties to the bond given for its disinfection.

(b) *Cotton must not be removed from port of entry prior to disinfection.*—Cotton or cotton waste, not falling within the proviso to regulation 6, arriving at a port where facilities for the disinfection of cotton are available, must not be removed from that port until it has been disinfected. (See Reg. 2, par. (b).)

Regulation 7.—Notice of Shipment of Undisinfected Cotton by Permittee.

If, prior to disinfection of the cotton, the permittee desires to ship it out of the United States under authority of either paragraph (c) or (d) of regulation 2, or to move it for approved storage, pending disinfection under the 40-day provision of regulation 6, for each separate shipment or consignment thereof, the permittee shall notify the Secretary of Agriculture on forms provided for that purpose, stating the number of the permit, the date of entry, the customs entry number, the name and address of the consignee to whom it is proposed to forward the cotton, the number of bales or other containers included in the shipment, and the bale or container numbers and marks, together with the probable date of delivery for and route of transportation. This notice must be submitted in duplicate to the inspector at the port of entry before removal of the undisinfected cotton.

Regulation 8.—Licenses Required for Disinfection Plants.

Any person, firm, or corporation desiring to engage in the disinfection of cotton or other products the disinfection of which is required under these regulations must secure a license from the Secretary of Agriculture. To secure such a license, application should be made on forms provided for that purpose.

Regulation 9.—Return to the United States of Cotton Previously Exported Therefrom.

The foregoing regulations apply to all cotton offered for entry irrespective of the country where grown: *Provided*, That cotton grown in the United States, if in its original containers, may be admitted under permit without disinfection on compliance with regulations 2, 3, 4, and 5, when evidence is submitted satisfactory to the Federal Horticultural Board that such cotton was grown in the United States and its entry, in the judgment of the Federal Horticultural Board, does not involve danger to the cotton cultures of the United States: ³ *Provided further*, That foreign cotton may be re-entered into the United States under permit and without further disinfection on compliance with regulations 2, 3, 4, and 5, if in its original containers, when evidence is submitted satisfactory to the Federal Horticultural Board that the cotton was previously imported into the United States, disinfected under the provisions of these regulations, and was subsequently moved from the confines of the United States.

(a) *Nature of evidence.*—Applications for authority to enter without disinfection cotton falling under the provisos to regulation 9 should be accompanied by evidence consisting of copies of the bills of lading covering the shipment of the cotton to the foreign country, showing the marks and numbers on the bales, with a statement that the cotton is being returned in its original containers, and any other information which will aid the board in determining

³ *Cotton grown in quarantined areas in the United States.*—Cotton grown in the United States in areas quarantined on account of the pink bollworm or other insect pests of cotton and offered for entry into the United States, unless disinfected prior to export, must meet the conditions of these regulations applying to foreign cotton.

whether the cotton is entitled to the benefit of either of the provisos to this regulation. Cotton which has been rebaled if returned must make full compliance with the disinfection requirements of these regulations.

Regulation 10.—Restrictions Governing the Entry of Cotton from Imperial Valley, Lower California, Mexico.

Cotton grown in the Imperial Valley in the State of Lower California, Mexico, shall be subject to all the requirements of these regulations: *Provided*, That such cotton will be admitted and may be distributed, forwarded, or shipped without restriction as long as it shall be determined by the Federal Horticultural Board that the pink bollworm does not exist in the State of Lower California, Mexico, and that effective quarantine measures are being maintained by the proper Mexican authorities prohibiting the entry into Lower California of cottonseed, seed cotton, cottonseed hulls, and cotton, baled or unbaled, grown in other parts of Mexico or in foreign countries other than the United States.

Permits for the entry of cotton grown in the Imperial Valley in the State of Lower California, Mexico, may be refused and existing permits revoked whenever it shall be determined by the Federal Horticultural Board that the provisions of the foregoing proviso are not being satisfactorily maintained.

Regulation 11.—Importation of Secondhand Burlap or Other Fabric Which Has Been Used or of the Kinds Ordinarily Used for Wrapping Cotton Subject to Restrictions.

Secondhand burlap or other fabric, under whatever name or trade designation, of the kinds ordinarily used for wrapping cotton shall be subject to all requirements of these regulations: *Provided*, That material covered by this regulation may be permitted entry under permit without disinfection under conditions prescribed by the Federal Horticultural Board, when it is shown to the satisfaction of the board that the material will be treated promptly in such a manner as will be equivalent to disinfection: *Provided further*, That secondhand or used burlap or other fabric of the kinds ordinarily employed for the wrapping of cotton but which has not been so used, and American cotton bagging, commonly known as coarse gunny, which has been used to cover cotton grown in the United States only, may be admitted under permit without disinfection.

(a) *New or unused stock not covered by this regulation.*—This regulation does not apply to new or unused burlap or other fabric of the kinds ordinarily employed to wrap cotton.

(b) *Conditions of entry under first proviso.*—The prompt conversion into paper or other approved treatment of material falling under this regulation will be considered the equivalent of disinfection, and material to be so converted or treated will be classed as falling under the first proviso to this regulation when its movement to the place of conversion or treatment will involve no risk to the cotton cultures of the United States. Upon approval of the process of conversion or treatment and of the movement involved and on receipt of an agreement to comply with the prescribed safeguards, a license will be issued. Full instructions governing the conditions of entry without disinfection under the first proviso to this regulation may be obtained upon application to the Federal Horticultural Board.

(c) *Conditions of entry under second proviso.*—The second proviso covers (1) the entry of secondhand or used burlap or other fabric of the kinds ordinarily employed in wrapping cotton, but which has not been so used, and (2) American cotton bagging, commonly known as coarse gunny, which has been used to cover cotton grown in the United States only. Under this proviso, therefore, the entry of secondhand cotton wrappings without disinfection is strictly limited to American cotton bagging, commonly known as coarse gunny, which has been used to cover cotton grown in the United States only. The entry without disinfection of other secondhand or used burlap or other

fabric of the kinds ordinarily employed in wrapping cotton is limited strictly to such fabrics as have never been used as cotton wrappings.

(d) *Mixed bales containing objectionable material must be disinfected or treated by approved equivalent method.*—In the case of American cotton bagging or coarse gunny which has been used to cover cotton grown in the United States only, if there appear attached to such gunny patches of the finer burlaps or gunnies when it is apparent that such finer materials are strictly in the nature of patches and represent such an inconsiderable proportion as not to affect the character of the bale as a whole, disinfection or approved equivalent treatment may not be required. This ruling does not apply, however, to bales of a mixed character which contain both American cotton bagging or coarse gunny which has been used to cover cotton grown in the United States only and the finer burlaps and gunnies, whether these latter have or have not been used as cotton wrappings. It is deemed thoroughly impracticable to determine by external inspection with any degree of accuracy the history of the finer gunnies in such mixed bales, and the disinfection of such bales, or approved equivalent treatment, will be required. Importers are therefore advised that the classes of burlaps, gunnies, etc., which may be entered without disinfection, or approved equivalent treatment, must be baled separately to secure the advantage of such entry.

(e) *Classification of bagging in regard to disinfection.*—The classes of burlaps or other fabrics referred to may be listed as follows:

(1) Secondhand or used burlap or other fabric of the kinds ordinarily employed in wrapping cotton but which has not been so used. Disinfection not required.

(2) American cotton bagging, commonly known as coarse gunny, which has been used to cover cotton grown in the United States only. Disinfection not required.

(3) Cotton wrappings other than those included in class 2. When utilized under conditions prescribed by the Federal Horticultural Board, disinfection not required.

(4) All cotton wrappings not included in classes (2) and (3). Disinfection required.

Regulation 12.—Revocation of Permits and Licenses.

Permits and licenses may be refused, and existing permits and licenses revoked, for violation of any of the provisions of these regulations.

The above rules and regulations are hereby adopted and shall supersede the rules and regulations governing the importation of cotton into the United States (revised), which were promulgated July 18, 1917, to take effect on and after August 1, 1917.

Done at the city of Washington this 24th day of February, 1923.

Witness my hand and the seal of the United States Department of Agriculture.

HENRY C. WALLACE,
Secretary of Agriculture.



SUPPLEMENTAL INSTRUCTIONS

COTTON SAMPLES

(a) *Imported cotton samples should be listed on ship's manifest as "Cotton samples" and should be packed separately.*—It has occasionally happened that cotton samples received by various permittees have been listed on the ship's manifest as "Samples," such cotton sometimes being included in the same container with samples of other merchandise, so that it is impossible for the inspector to determine from the ship's manifest whether or not the cargo contains material requiring disinfection. In one instance it was found that a case of samples was entered at a Pacific port along with a number of cases of egg-yolk powder, and since there was nothing on the ship's manifest or the entry papers to indicate the presence of cotton in the shipment, it was allowed

to go forward in bond to Chicago. Upon examination at the latter point it was found that the case contained, among other samples, a package of raw cotton, which, under the circumstances, it was necessary to forward in bond to New York for disinfection and final entry.

(b) *Importers should instruct shippers regarding packing and listing of samples.*—Importers of cotton are requested to instruct their foreign shippers to pack cotton samples separately, and not to include them in a package or crate with other merchandise. The samples should be listed on the ship's manifest as "Cotton samples," so that upon arrival at the port of entry the inspector may be advised of their presence in the ship's cargo.

(c) *Entry of cotton samples not so listed or packed with other material to be refused.*—The entry of samples in the irregular manner indicated above does not comply with the conditions of entry prescribed by the cotton regulations, and, hereafter, entry will be refused to samples arriving in this manner. Any attempt to enter cotton samples under any other designation than "Cotton" or to enter cotton packed in the same container with other material may lead to the necessity of revoking permits.

WASTAGE

A very considerable amount of leakage or wastage occurs in the process of unloading and handling foreign cotton on the docks, transportation to disinfection plants, in storage pending disinfection, and in the disinfection plants themselves pending disinfection.

Such waste is especially noteworthy in the case of Mexican cotton. This cotton is inadequately hooped with iron over an insufficient wrapper of coarse sisal-fiber netting, in most instances but a few shreds of this netting remaining. The bales themselves become merely ragged masses of cotton of such character that the wastage in handling is constant and enormous. In view of the fact that Mexico is known to be infested with the pink bollworm, this condition of the bales adds a very large new element of risk. The instructions here given apply, however, to all wastage from imported cottons.

(a) *Care should be exercised in handling cotton to avoid waste.*—Permittees and persons in charge of disinfection plants are urged to use great care in the handling of cotton to avoid waste, and are instructed to provide for the prompt and regular collection of such waste on the docks or other places of unloading and between such places of landing or unloading and the disinfection plants or places of temporary storage in such plants or elsewhere, including the sweeping of cars and clean-up of outdoor areas where such wastage may occur in the process of handling, and all wastage in disinfection plants.

(b) *Mixed wastage coming from undisinfected foreign cotton and American cotton or disinfected foreign cotton to be treated as undisinfected.*—If undisinfected foreign cotton is stored with American or disinfected foreign cotton pending disinfection, all wastage from such storage places must necessarily be treated as undisinfected foreign cotton and therefore becomes subject to the restrictions herein set forth. Leakage from disinfected and undisinfected cotton occurring in disinfection plants must be treated as undisinfected foreign cotton subject to the restrictions herein set forth.

(c) *Baling, marking, and disinfection of wastage required.*—All such wastage must be properly bagged or baled and must be disinfected promptly. The bags, bales, or other containers must be marked with such marks and numbers as will distinguish them from each other and indicate the disinfection plant or place of collection and that the material contained is such collected waste.

(d) *Notice of collection of wastage.*—Notice of collection of such wastage with full description must be made in duplicate to the inspector at the port of entry on a form corresponding to the notice of arrival of cotton (regulation 5). Notification should be made weekly, where practicable, and in no case should report of collection of a bag or bale of wastage be delayed more than a month.

(e) *Cleaning of lighters, cars, trucks, etc., used for transporting imported cotton.*—Lighters, cars, trucks, or other means of conveyance used for the transportation of cotton from landing docks to disinfection plants must be thoroughly swept out immediately upon unloading and the sweepings either burned or collected and disinfected.

(f) *Compliance to be under supervision of inspector.*—Compliance with the conditions outlined above is to be made under the supervision of an inspector.